Docket No.: PF-0456-2 DIV

Response Under 37 C.F.R. 1.116 - Expedited Procedure

Examining Group 1653

hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES OTFINS At this correspondence is being deposited with the United States of Printed State

In re Application of:

Title:

Serial No .:

Examiner:

Carlson, K.

Group Art Unit:

1653

Mail Stop AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant(s) hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision dated August 6, 2003, of the Examiner's rejection of Claims 10, 30, 31, 33, 36, 37 and 39-42.

Please charge the Appeal fee of \$330.00 required under 37 C.F.R. § 1.17(b) to Deposit Account No. 09-0108. The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayments to Deposit Account No. 09-0108.

11/12/2003 SDIRETA1 00000042 090108

01 FC:1401

330.00 DA

Respectfully submitted,

INCYTE CORPORATION

Michelle M.-Stempien

Reg. No. 41,327

Direct Dial Telephone: (650) 843-7219

Customer No.: 27904 3160 Porter Drive

Palo Alto, California 94304 Phone: (650) 855-0555

Fax: (650) 845-4166